

LoTel, Inc. d/b/a Coordinated Billing  
Services

KENTUCKY  
TELECOMMUNICATIONS TARIFF  
OF

LoTel, Inc. d/b/a Coordinated Billing Services

8120 Penn Avenue South  
Suite 159  
Bloomington, MN 55431

Issued: October 22, 1998  
Effective: November 22, 1998

Issued by: Leon Oistad (S)  
Leon Oistad, President

This tariff contains the descriptions, regulations, and rates applicable to the furnishing of long distance telecommunications services within and throughout the state of Kentucky by LoTel, Inc. d/b/a Coordinated Billing Services.

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NOV 22 1998

PURSUANT TO 807 KAR 5:011.  
SECTION 9 (1)

BY: Stephan D. Bell  
SECRETARY OF THE COMMISSION

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EXPLANATION OF SYMBOLS

- C- Changed Regulation
- D- Discontinued rate or regulation
- I- Rate increase
- M- Matter moved or relocated without change
- N- New rate or regulation
- R- Rate reduction
- S- Reissued matter
- T- Change in text, but no change in rate or regulation
- Z- Correction

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TECHNICAL TERMS AND ABBREVIATIONS

Access Line - An arrangement which connects the customer's location to the underlying carrier's central office.

Authorization Code - A numerical code, one or more of which are available to a customer to enable him/her to access the carrier, and which are used by the carrier both to prevent unauthorized access to its facilities and to identify the customer for billing purposes.

Company or Carrier - LoTel, Inc. d/b/a Coordinated Billing Services

Customer - The person, firm, corporation or other entity which orders service and is responsible for payment of charges due and compliance with the Company's tariff regulations.

FCC or Commission - Federal Communications Commission.

Holidays - The Company's recognized holidays are New Year's Day, July 4th, Labor Day, Thanksgiving Day, and Christmas Day.

LEC - Local Exchange Carrier.

Service - The communications offerings provided by the Company, i.e. resold long-distance voice and data service obtained by the Company from a facilities-based interexchange carrier.

Underlying Carrier - Facilities-based interexchange carrier providing the long-distance service being resold by the Company.

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1. APPLICATION OF TARIFF

This tariff contains the regulations and rates applicable to the provision of Long Distance Message Telecommunications Service by the Company, consisting of outbound 1+ service and inbound 800 service. Service is furnished subject to transmission, atmospheric, and like conditions.

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2. REGULATIONS

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2.1 Undertaking of the Company

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2.1.1 Scope

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The Company undertakes to provide ~~Long Distance~~ Message Telecommunications Service within the state of Kentucky in accordance with the terms and conditions set forth in this tariff. The Company does not own or operate long distance transmission facilities, but rather resells the facilities of underlying carriers.

2.1.2 Shortage of Facilities

All service is subject to the availability of suitable facilities. The Company reserves the right to limit the length of communications or to discontinue furnishing services when necessary because of the lack of satellite or other transmission medium capacity or because of any causes beyond its control.

2.1.3 Liability of the Company

(A) Except as stated in this Section 2.1.3, the Company shall have no liability for damages of any kind arising out of or related to events, acts, rights or privileges contemplated in this tariff. This tariff does not limit the liability of the Company for willful misconduct.

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(B) The liability of the Company for damages resulting in whole or in part from or arising in connection with the furnishing of service under this tariff, including but not limited to mistakes, omissions, interruptions, delays, errors or other defects or misrepresentations shall not exceed an amount equal to five times the initial minute charge provided for under this tariff for the intrastate long distance call for the period during which the call was affected. No other liability in any event shall attach to the Company.

(C) The Company shall not be liable for any failure of performance hereunder due to causes beyond its control, including but not limited to acts of God, fires, flood or other catastrophes; any law, order, regulation, directive, action or request of the United States Government, or any other government, including state and local governments having jurisdiction over the Company, or of any department, agency, commission, bureau, corporation or other instrumentality of any one or more of said governments, or of any civil or military authority; or national emergencies, insurrections, riots, wars, or strikes or other labor difficulties.

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(D) The Company shall not be liable for any act or omission of any other entity furnishing to the Customer facilities, equipment, or services used with the Company's Long Distance Message Telecommunications Service. Nor shall the Company be liable for any damages or losses due to the failure or negligence of the Customer or due to the failure of Customer-provided equipment, facilities or services.

#### 2.1.4 Claims

The Company shall be indemnified and saved harmless by the Customer from and against all loss, liability, damage and expense, including reasonable attorney's fees, due to claims for libel, slander, or infringement of copyright in connection

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with the material transmitted over the Company's facilities;  
and any other claim resulting from any act or omission of  
the Customer or patron(s) of the Customer relating to the  
use of the Company's facilities.

2.2 Prohibited Uses

Long Distance Message Telecommunications Service shall  
not be used for any unlawful purpose.

2.3 Use of Service

Long Distance Message Telecommunications Service may be  
used to transmit communications of the Customer in a  
manner consistent with the terms of this tariff and the  
policies and regulations of the FCC and the Kentucky Public  
Service Commission.

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Use of Long Distance message Telecommunications Service  
is considered an order for such service.

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2.4 Payment Arrangements

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2.4.1 Payment for Service

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(A) The Customer is responsible for payment of all  
charges for facilities and services furnished by the Company.  
Federal, state and local sales, use and excise taxes, where  
applicable, shall be added to the charges contained herein. It  
shall be the responsibility of the Customer to pay these taxes  
and to accept the liability of any such unpaid taxes that may  
subsequently become applicable retroactively.

(B) Bills are due and payable upon receipt. If the  
Customer's net bill is not paid (payment received by the  
Company) within twenty (20) days after the invoice date  
listed on the bill it shall become a delinquent bill and interest  
at the lesser of (1) the rate of one and one-half percent (1.5%)  
per month or (2) the highest rate allowed by law per month

shall accrue upon any unpaid amount. Any penalty shall be assessed in accordance with 807 KAR 5:006 § 8(3)(H). Delinquent bills are charged once per service period. If the Company initiates legal proceedings to collect any amount due hereunder and the Company substantially prevails in such proceedings then the defendant Customer shall pay the reasonable attorney's fees and costs of the Company in prosecuting such proceedings and appeals therefrom.

(C) The Customer will be assessed a charge of twenty-five dollars (\$25.00) for each check submitted by the Customer to the Company which a financial institution refuses to honor for insufficient funds or a non-existent account.

(D) Customers are not responsible for any previously unbilled charge for services furnished prior to three months immediately preceding the date of the bill, except for collect calls, credit card calls, third party calls and "Error File" calls (those which cannot be billed due to the unavailability of complete billing information to the company) which shall have a six-month back billing period. In case of fraud, a back billing period of no more than three years will apply.

#### 2.4.2 Discontinuance of Service for Cause

Upon non-payment of any sum owing to the Company for more than 30 days beyond the date of rendition of the bill for service or upon violation of any of the terms or conditions governing the furnishing of service under this tariff, the Company may, after ten days advance notice in writing to the Customer, without incurring any liability, discontinue the furnishing of service under this tariff.

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3. SERVICE OFFERINGS

3.1 Intrastate Message Telecommunications Service

3.1.1(a) Description of Services

The Company offers switched and dedicated access MTS and 800 interexchange services by the resale of the services of Underlying Carriers, currently Frontier Communications, Inc. Such service is available twenty-four (24) hours a day, seven (7) days a week. MTS and 800 Services are offered on a flat rate basis.

3.1.1(b) Timing of Calls

The Customer's long distance usage charge is based on the actual usage of the Company's services. Usage begins when the called party picks up the receiver, and ends when the calling party hangs up. Calls are measured by Underlying Carriers, whose services are resold by the Company, in accordance with its own Tariff.

3.1.1(c) Calculation of Distance

The Company uses the V&H coordinate system to calculate the distance of calls.

3.1.1(d) Minimum Call Completion Rate

A Customer can expect a call completion rate (number of calls completed/number of calls attempted) of not less than 99% during peak use periods.

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3.1.1(e) Advance Payments

The Company may request any customer to pay in advance for toll services based on a good faith estimate of traffic volumes. At the Company's discretion a surcharge of 10% may be added to usage charges when actual traffic exceeds estimates. When estimates exceed actual usage the customer will be credited on the toll statement.

3.1.2 Rates and Charges

A) Dedicated Access

Dedicated access services have initial set up and monthly charges which are dependent on local exchange carrier tariffs and based on the customer's location and individual needs. The customer's needs and physical location may also affect the rates charged by the Company.

(B) Non-Recurring Charges

Validated Account Codes,  
per account install \$5.00

Validated Account Codes, \$5.00

(C) Recurring Charges

Validated Account Codes,  
per account \$5.00

800 Charges \$5.00

Program Fees \$5.00

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(D) Rates Per Minute

Outbound and Inbound services carry an initial and incremental billing minimum of no greater than one minute.

Switched Access Outbound Service Per Minute  
Day, Evening and Night

|             |        |
|-------------|--------|
| Commercial  | \$0.25 |
| Residential | \$0.25 |

Switched Access Inbound Service Per Minute  
Day, Evening and Night

|             |        |
|-------------|--------|
| Commercial  | \$0.25 |
| Residential | \$0.25 |

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PURSUANT TO 807 KAR 5.011,

Dedicated Access Outbound Service Per Minute  
Day, Evening and Night

|  |         |
|--|---------|
|  | \$0.089 |
|--|---------|

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Dedicated Access Inbound Service Per Minute  
Day, Evening and Night

|  |         |
|--|---------|
|  | \$0.089 |
|--|---------|

Travel Card Service: Access charges are \$0.60 per access, in addition to a \$0.25 per minute charge for the duration of the call.

Calls are billed in full minute increments with a one minute billing minimum.

(E) Operator Assistance

The Company does not provide alternative operator services. Operator assisted calls are limited to live operator or automated operator functions provided by the Underlying Carriers for the processing of telephone services such as completion of person to person, operator assisted station to station calls, dialing instructions and emergency call handling.

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(F) Directory Assistance

Switched 1+

|               |        |
|---------------|--------|
| Interstate    | \$0.75 |
| Intrastate    | \$0.75 |
| International | \$4.00 |

Travel Card

|               |        |
|---------------|--------|
| Interstate    | \$0.80 |
| Intrastate    | \$0.80 |
| International | \$4.00 |

(G) Monthly Service Fee

All customers may be charged a minimum monthly service fee for long distance usage not to exceed \$5.00.

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